

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JEROME T. CISSON,

Plaintiff,

vs

8:09-CV-261

TODD CARVILL, Oneida County Prosecutor;
PETER PALADINO, Utica Police Officer; and
CITY OF UTICA,

Defendants.

APPEARANCES:

OF COUNSEL:

JEROME T. CISSON
Plaintiff, Pro Se
008-B-3744
Clinton Correctional facility
PO Box 2002
Dannemora, NY 12929

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Attorney for Defendants Paladino and City
City Hall, Kennedy Plaza
Utica, New York 13502

JOHN P. ORILIO, ESQ.
Asst. Corporation Counsel

DAVID N. HURD
United States District Judge

ORDER

Plaintiff filed a civil rights complaint on March 2, 2009. (Docket No. 1). He filed an amended complaint on April 10, 2009. (Docket No. 8). The defendants Paladino and City of Utica filed a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) on August 18,

2009. (Docket Nos. 29 and 30). Defendant Carville filed a similar motion on August 20, 2009. (Docket No. 32). Plaintiff answered in opposition on September 21, 2009. (Docket No. 36). Defendants replied on September 28, 2009. (Docket Nos. 37 and 38).

Upon a review of the submissions and the law, it is

ORDERED that

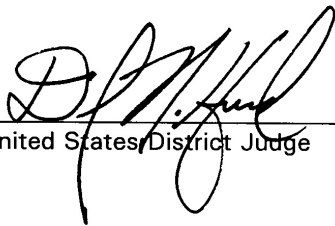
1. Both motions are GRANTED; and
2. The complaint is DISMISSED.

The Clerk of the court is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: October 27, 2009

Utica, New York.



United States District Judge